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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,354	02/21/2002	Terry Baiko	PALM-3750	9763

7590

10/22/2003

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EXAMINER

CHANG, YEAN HSI

ART UNIT

PAPER NUMBER

2835

DATE MAILED: 10/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/081,354

Applicant(s)

BAIKO ET AL.

Examiner

Yean-Hsi Chang

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM  
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13, 15-24 and 26-29 is/are rejected.
- 7) ☒ Claim(s) 14 and 25 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_. 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 2, 15 and 26-29 are objected to because of the following informalities: In claim 2, line 2, "the peripheral component card" lacks antecedent basis; claim 15, line 3, "the peripheral component" should be "a peripheral component" for being its a first appearance; and in claims 26-29, it is not clear which slot, first slot or second slot, does "the slot" refer to. Appropriate correction is required.

2. Claims 6-8 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. In claim 5, it states "a slot for receiving the peripheral component is on the top side of the portable computer", whereas in claims 6-8 which depend from claim 5, the claimed slot is on a side other than the top side.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1 and 10-11 are rejected under 35 U.S.C. 102(e) as being anticipated by White et al. (US 6,532,152 B1).

White teaches an impact protection device (2002, fig.13) having:

- A first interface (2017, fig. 14) configured to conform to a surface (shown in fig. 15, not numbered) of a portable computer device (200, fig. 15) (claim 1)
- A second interface (2016, fig. 14) configured to receive a peripheral component (2020, fig. 15) (claim 1)
- An impact absorbing material, an elastic material allowing transfer of energy through the material (see col. 26, lines 1-2, and lines 54-62) (claims 1 and 10-11)
- Where the portable computer has a slot (shown in fig. 16, not numbered) for receiving the peripheral component (claim 2)

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-5, 9-13, 15-19, 213-24 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson et al. (US 2003/0071791 A1) in view of White et al.

Hanson teaches a system comprising:

- A portable computer (100, fig. 1) having a first slot (130, fig. 1) provided for receiving a first portion (a first interface, 150, fig. 1) of a peripheral component (10, fig. 1) (claims 2, 16 and 26)
- An impact protection device (160, fig. 1) having a second slot (a second interface, shown in fig. 2, not numbered) provided for receiving a second portion (170, fig. 2) of the peripheral component (claims 1, 15, and 26)
- Where peripheral component is a secure digital input/output (SDIO) card and the second interface is configured to receive the SDIO card when the SDIO card is inserted into the portable computer (see page 3, [0037]) (claims 3 and 17)
- Where the peripheral component protrudes outside the slot of the portable computer device for receiving the peripheral component (shown in fig. 1) (claims 4, 18 and 26)
- Where the portable computer has a front side (not numbered) where a display screen (110, fig. 1) is located, a back side (not numbered, fig. 1) opposite the front side, a right side and a left side, and wherein the slot for receiving the peripheral component is on the top side of the portable computer (shown in fig. 1) (claims 5 and 19)

- Wherein the protective device protects the protruding portion of the peripheral card when the peripheral card is inserted into the portable computer (shown in fig. 1) (claims 9 and 23)
- Where the portable computer is a cellular telephone (300, fig. 5) (claim 12)
- Where the portable computer is a personal digital assistant (PDA) (100, fig. 1) (claim 13)

Hanson fails to teach the impact protection device comprising an impact absorbing material.

White teaches an impact protection device (300, fig. 3A) comprising impact absorbing material (see col. 14, lines 12-19) (claims 1, 10-11, 15, 24 and 26).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Hanson with the impact protection device taught by White for purposes of effectively absorbing impacts from outside.

7. Claims 6-7, 20-21 and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson in view of Ito (US 2003/0186570 A1).

Hanson discloses the claimed invention except the slot for receiving the peripheral component being on the side of the portable computer device.

Ito teaches a portable computer device (1, fig. 2) comprising a slot (9a, fig. 2) being on the side of the portable computer device (also see page 2, paragraph [0035]).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Hanson with the slot taught by Ito for sufficient space and convenience.

8. Claims 8, 22 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson et al. in view of Cheng (US 2003/0148664 A1).

Hanson discloses the claimed invention except the slot for receiving the peripheral component being on the bottom of the portable computer device.

Cheng teaches a portable computer device (3, fig. 3) comprising a slot (at location 2, fig. 3) being on the bottom of the portable computer device.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Hanson with the slot taught by Cheng for sufficient space and convenience.

***Allowable Subject Matter***

9. Claims 14 and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. The following is a statement of reasons for the indication of allowable subject matter: The best prior art of record, White et al. (US 6,532,152 B1), Hanson et al. (US 2003/0071791 A1), Ito (US 2003/0186570 A1), and Cheng (US 2003/0148664 A1),

taken alone or in combination, fails to teach or reasonably suggest an impact protection device for protecting peripheral component coupled to a portable computer device, wherein the portable computer is a digital watch as set forth in claims 14 and 25.

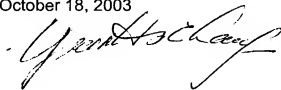
***Correspondence***

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yean-Hsi Chang whose telephone number is (703) 306-5798. The examiner can normally be reached on 07:30-16:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schubert can be reached on (703) 308-4815. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3431 for regular communications and for After Final communications. There are RightFAX numbers and provide the fax sender with an auto-reply fax verifying receipt by the USPTO: Before-Final (703-872-9318) and After-Final (703-872-9319).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-8558.

Yean-Hsi Chang  
Patent Examiner  
Art Unit: 2835  
October 18, 2003

A handwritten signature in cursive script, appearing to read "Yean-Hsi Chang", written in black ink.